

## REMARKS

Claims 1-36 were pending and presented for examination and in this application. In an Office Action dated December 13, 2005, claim 1-36 were rejected. Applicants thank the Examiner for examination of the claims pending in this application.

Applicants are amending independent claims 1, 15, and 29 merely to more clearly define the claimed invention. Specific support for "*a required body of information*" can be found throughout Applicants' Specification, for example, at [0032-0035], [0059], and in claims 11 and 25 as filed. No new matter has been introduced as a result of these amendments. Dependent claims 3-6, 11, 14, 17-20, 25, 27, 31, 32, and 35 have been amended for consistency with the terminology used in the respective independent claims. In addition, claim 11 has been amended to properly recite dependence from claim 10, claim 14 has been amended to properly recite dependence from claim 13, and claim 35 has been amended to properly recite dependence from claim 34. Reconsideration of the application in view of the above changes and the following remarks is respectfully requested.

## Substance of Interviews

Applicants thank the Examiner for her time in conducting telephone interviews on February 9 and February 21, 2006. Applicants believe that the time was spent effectively and significant progress was made. During the telephone interview on February 9, 2006, Applicants' attorneys and the Examiner discussed the outstanding rejections of the claims in view of Breed (US Application 2003/0227382). Specifically, Applicants proposed amending the claims to clarify the distinction between a credential submitted by a trusted agent and information concerning the container also submitted by the trusted agent. Applicants have amended the claims herein accordingly.

Agreement was reached during a follow up interview on February 21, 2006, that none of the cited references disclose the feature of “*receiving a required body of information concerning an intermodal container from the first trusted agent*” nor the feature of “*initiating a security state for the intermodal container with the required body of information.*”

### **Response to Claim Rejections**

The Examiner rejected claims 1-3, 5-8, 11-17, 19-22, and 26-28 under 35 USC § 102(e) as anticipated by Breed. The Examiner also rejected claims 9, 10, 23, 24, 33 and 34 under 35 USC § 103(a) as obvious over Breed, and claims 4 and 18 under 35 USC § 103(a) as obvious over Breed in view of U.S. Patent No. 4,688,244 to Hannon et al. (“Hannon”). These rejections are traversed.

Claim 1 recites “*receiving a required body of information concerning an intermodal container from the first trusted agent*” and “*initiating a security state for the intermodal container with the required body of information.*” Breed discloses a system for remotely monitoring and tracking shipping containers and other transportation assets. *See, e.g., [0002-0003].* Breed discloses collecting biometric information to validate drivers of vehicles containing cargo to minimize terrorist activities involving the cargo. *See [0012].* However, Breed does not disclose or suggest receiving information concerning the cargo from the driver, nor does Breed disclose or suggest initiating a security state for the cargo with the information concerning the cargo submitted by the driver. In the claimed invention, the features of “*receiving a required body of information concerning an intermodal container from the first trusted agent*” and “*initiating a security state for the intermodal container with the required body of information*” are particularly beneficial because they operate to ensure that container is secured by a trusted agent, and that the information concerning the container

can be trusted. This ensures that untrusted, counterfeit, or unauthorized agents do not submit false information concerning the container and do not otherwise tamper with the security of the container. Breed does not disclose or suggest these features. Thus, there is no teaching or suggestion of the claimed invention in Breed.

Hannon does not remedy the deficiencies of Breed. Hannon does not disclose or suggest trusted agents, nor the recited features of “*receiving a required body of information concerning an intermodal container from the first trusted agent*” and “*initiating a security state for the intermodal container with the required body of information*.<sup>1</sup>” Thus, there is no teaching or suggestion of the claimed invention in the combined disclosures of Breed and Hannon.

For at least these reasons, Applicants respectfully submit that claim 1 is patentable over the cited references. The Examiner rejected claims 15 and 29 for similar reasons as given for claim 1. Claims 15 and 29 have been amended to recite limitations similar to those of claim 1. All arguments advanced above with respect to claim 1 are also advanced with respect to claims 15 and 29. Therefore, Applicants also submit that these claims are patentable over the cited reference for the reasons noted above, as well as for the patentable distinctions they particularly recite.

Applicants submit that claims 2-14, 16-28, and 30-36 are patentable based on the patentability of the independent claims from which they depend and by virtue of the additional limitations they recite. For example, none of the cited references disclose “*receiving an inspection request from an authority; and changing the security state responsive to the inspection request*” as recited in claim 10 or “*submitting the required body of information to the authority, wherein the authority sends the inspection request responsive*

*to the required body of information*" as recited in claim 11, or "*the first agent is located at an origin port of an export country and the second agent is located at a destination port of an import country*" as recited in claims 12, 26, and 36. Therefore, Applicants respectfully request that the Examiner reconsider the rejections of claims 2-14, 16-28, and 30-36, and withdraw them.

### Conclusion

In sum, Applicants respectfully submit that claims 1-36, as presented herein, are patentable over the cited references. Therefore, Applicants request reconsideration of the basis for the rejections of these claims and request allowance of them.

In addition, Applicants respectfully invite Examiner to contact Applicants' representative at the number provided below if Examiner believes it will help expedite furtherance of this application.

Respectfully Submitted,  
David L. Shannon, Gregory Y.H. Lee and  
Christopher A. Stephenson

Date: 3/13/06

By: Robin Reasoner

Robin W. Reasoner  
Registration No. 58,257  
FENWICK & WEST LLP  
801 California Street  
Mountain View, CA 94041  
Phone: (650) 335-7172  
Fax: (650) 938-5200